

## REMARKS

Claims 1 to 33 have been cancelled without prejudice or disclaimer. New Claims 34 to 130 have been added. No new matter has been added.

A one-month Petition for Extension of Time is submitted herewith. A check in the amount of \$3,614.00 is submitted herewith to cover the cost of the additional claims and one-month Petition for Extension of Time. Please charge Deposit Account No. 02-1818 for any insufficiency or credit for any overpayment. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Versions with Markings to Show Changes Made."**

The Examiner rejected certain claims under 35 U.S.C. 112. Specifically, the Examiner rejected Claims 2, 6, 9, 12, 15, 20, 23-24, 26-27, and 29-30 under 35 U.S.C. 112, second paragraph as being indefinite. Since the original Claims 1 to 33 have been cancelled without prejudice or disclaimer and new Claims 34 to 130 have been added, applicants respectfully submit that such rejections are now moot. The Examiner also rejected Claims 1 to 33 under 35 U.S.C. 102(b) as being anticipated by Ishibashi.

Ishibashi discloses a gaming machine wherein a sound generator generates different sounds for each of the symbols positioned on the winning line when each of the plurality of symbol columns is stopped. (Col. 2, lines 40-45.) Ishibashi also discloses a gaming machine wherein the sound generator produces a sound corresponding to one of the symbols being able to give a major award among the symbols positioned on the winning line when the symbol determining means determines a loss. (Col. 3, lines 15-20.) Ishibashi further discloses a gaming machine wherein the sound generator generates different sounds for every one of the symbols passing on the winning line while each of the plurality of symbol columns is moved. (Col. 3, lines 51-54.) The various limitations of new Claims 34 to 130 which are not taught by Ishibashi are disclosed in the specification and in Figures 5 to 12.

During the telephone interview on February 26, 2002, it was discussed that Ishibashi does not disclose various limitations which are taught by the present invention. While Ishibashi teaches broad limitations of a gaming machine with certain sounds, it does not disclose, teach or suggest a number of limitations which are disclosed by the

present invention. In the interview summary record, the Examiner indicated that "Applicant admitted that Ishibashi read on the claims as broadly claimed." It is respectfully submitted that applicant is not making such an admission. For example, during the interview, applicants' representative stated that Ishibashi does not disclose the limitation in Claim 1 where the gaming device includes at least one sound effect associated with at least one non-target value, the non-target value being within a certain numeric proximity to the target value. Applicants, however, are not arguing the patentability of Claims 1 to 33 which have been cancelled without prejudice or disclaimer in lieu of new Claims 34 to 130.

More specifically, new Claim 34 is directed to a gaming device having a target and a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target. The gaming device further includes a display device adapted to display the target and non-targets, at least one speaker, a sound effect associated with the predetermined proximity, and a processor. The processor causes selection of the target or one of the non-targets, and causes the speaker to generate the sound effect when one of the non-targets within the predetermined proximity from the target is selected. The prior art of record does not disclose, teach or suggest the plurality of non-targets including at least two non-targets which are each the same predetermined proximity from the target in combination with the sound effect associated with the predetermined proximity which is generated when one of the non-targets within the predetermined proximity from the target is selected. Accordingly, it is respectfully submitted that new Claim 34 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 35 to 44 which directly or indirectly depend from new Claim 34 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 45 is directed to a gaming device having a target, a plurality of non-targets including at least two non-targets which are each within a same predefined distance from the target, a display device adapted to display the target and non-targets, means for selecting the target and non-targets, at least one sound effect associated with the predefined distance, and means for generating the sound effect when the selecting means selects one of the non-targets which is within the predefined distance

from the target. The prior art of record does not disclose, teach or suggest the plurality of non-targets including at least two non-targets which are each within the same predefined distance from the target in combination with the sound effect associated with the predefined distance which is generated when the selecting means selects one of the non-targets which is within the predefined distance from the target. Accordingly, it is respectfully submitted that new Claim 45 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claim 46 which depends from new Claim 45 is patentably distinguished over the prior art of record and is also in condition for allowance.

Similar to new Claim 34, new Claim 47 is directed to a gaming device having a target and a plurality of non-targets including at least two non-targets which are each a same first predetermined proximity from the target and at least two non-targets which are each a same second predetermined proximity from the target. The gaming device further includes a display device adapted to display the target and non-targets, at least one speaker, a first sound effect associated with the first predetermined proximity, a second sound effect which is different from the first sound effect associated with the second predetermined proximity, and a processor. The processor causes selection of the target or one of the non-targets, causes the speaker to generate the first sound effect when one of the non-targets within the first predetermined proximity from the target is selected, and to generate the second different sound effect when one of the non-targets within the second predetermined proximity from the target is selected. The prior art of record does not disclose, teach or suggest the plurality of non-targets including at least two non-targets which are each the same first predetermined proximity for the target and at least two non-targets which are each the same second predetermined proximity from the target in combination with the first sound effect associated with the first predetermined proximity and the second different sound effect associated with the second predetermined proximity. The prior art does not disclose, teach or suggest the processor causing selection of the target or one of the non-targets, and causing the speaker to generate the first sound effect when one of the non-targets within the first predetermined proximity from the target is selected, and to generate the second sound effect when one of the non-targets within the second predetermined

proximity from the target is selected. Accordingly, it is respectfully submitted that new Claim 47 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 48 to 49 which depend from new Claim 47 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 50 is directed to a gaming device having a target, a plurality of non-targets, a display device adapted to display said target and non-targets, at least one speaker, a plurality of sound effects, and a processor. The processor causes selection of the target or one of the non-targets, causes the speaker to generate the first sound effect randomly chosen from the sound effects when one of the non-targets is selected, and causes the speaker to generate a different sound effect randomly chosen from the sound effects each time one of the non-targets is selected. The prior art of record does not disclose, teach or suggest the processor which causes selection of the target or one of the non-targets, causes the speaker to generate the first sound effect randomly chosen from the sound effects when one of the non-targets is selected, and causes the speaker to generate the different sound effect randomly chosen from the sound effects each time one of the non-targets is selected. Accordingly, it is respectfully submitted that new Claim 50 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 51 to 52 which depend from new Claim 50 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 50, new Claim 53 is directed to a gaming device having a target, a plurality of non-targets, a display device adapted to display the target and non-target, at least one speaker, a plurality of sound effects, and a processor. The processor causes selection of the target or one of the non-targets, causes the speaker to generate a first sound effect chosen from the sound effects when one of the non-targets is selected, and causes the speaker to generate a second different sound effect chosen from the sound effects when the same non-target is selected. The prior art of record does not disclose, teach or suggest the processor which causes selection of the target or one of the non-targets, causes the speaker to generate the first sound effect

chosen from the sound effects when one of the non-targets is selected, and causes the speaker to generate a second different sound effect chosen from the sound effects when the same non-target is selected. Accordingly, it is respectfully submitted that new Claim 53 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 54 to 55 which depend from new Claim 53 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 56 is directed to a gaming device having a target, a plurality of non-targets, a display device adapted to display the target and non-targets, at least one speaker, a sound effect, a predetermined number of times associated with the non-targets, and a processor. The processor causes selection of the target or one of the non-targets, counts the number of times one of the non-targets is selected, and upon reaching the predetermined number, causes the speaker to generate the sound effect when one of the non-targets is selected. The prior art does not disclose, teach or suggest the predetermined number of times associated with the non-targets in combination with selecting the target or one of the non-targets, counting the number of times one of the non-targets is selected, and upon reaching the predetermined number, causing the speaker to generate the sound effect when one of the non-targets is selected. Accordingly, it is respectfully submitted that new Claim 56 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 57 to 58 which depend from new Claim 56 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 34 and new Claim 56, new Claim 59 is directed to a gaming device having a target, a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target, a display device adapted to display the target and non-targets, at least one speaker, and a sound effect associated with the predetermined proximity. The gaming device further includes a predetermined number of times associated with the predetermined proximity from the target and a processor. The processor causes the selection of the target or one of the non-targets,

counts the number of times one of the non-targets within the predetermined proximity from the target is selected, and upon reaching the predetermined number, causes the speaker to generate the sound effect when the processor selects one of the non-targets within the predetermined proximity from the target. The prior art does not disclose, teach or suggest the plurality of non-targets including at least two non-targets which are each the same predetermined proximity from the target and the sound effect associated with the predetermined proximity in combination with the predetermined number of times associated with the predetermined proximity from the target. The prior art also does not disclose, teach or suggest the processor causing selection of the target or one of the non-targets, counting the number of times one of the non-targets within the predetermined proximity from the target is selected, and upon reaching the predetermined number, causing the speaker to generate the sound effect when the processor selects one of the non-targets within the predetermined proximity from the target. Accordingly, it is respectfully submitted that new Claim 59 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 60 to 61 which depend from new Claim 59 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 62 is directed to a gaming device having a target, a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target, a display device adapted to display the target and non-targets, and at least one speaker. The gaming device also includes a first sound effect associated with the predetermined proximity, a second sound effect which is different from the first sound effect associated with the predetermined proximity, a predetermined number of times associated with the predetermined proximity, and a processor. The processor causes selection of the target or one of the non-targets, counts the number of times one of the non-targets within the predetermined proximity from the target is selected, causes the speaker to generate the first sound effect when one of the non-targets within the predetermined proximity from the target is selected, and upon reaching the predetermined number, causes the speaker to generate the second different sound effect when one of the non-targets within the predetermined proximity

from the target is selected. The prior art does not disclose, teach or suggest the first sound effect associated with the predetermined proximity and the second different sound effect associated with the predetermined proximity in combination with the predetermined number of times associated with the predetermined proximity from the target. The prior art does not disclose, teach or suggest the processor causing selection of the target or one of the non-targets, counting the number of times one of the non-targets within the predetermined proximity from the target is selected, causing the speaker to generate the first sound effect when one of the non-targets within the predetermined proximity from the target is selected, and upon reaching the predetermined number, causing the speaker to generate the second different sound effect when one of the non-targets within the predetermined proximity from the target is selected. Accordingly, it is respectfully submitted that new Claim 62 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 63 to 64 which depend from new Claim 62 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 65 is directed to a gaming device having a path, a fleeing element and a chasing element which move along the path, a display device adapted to display the path, the chasing element and the fleeing element, a predetermined proximity of the fleeing element from the chasing element, at least one speaker, a sound effect associated with the predetermined proximity, and a processor. The processor causes the display device to display the fleeing element moving a first random distance along the path and the chasing element moving a second random distance along the path, and causes the speaker to generate the sound effect when the chasing element is within the predetermined proximity from the fleeing element. The prior art does not disclose, teach or suggest the path, the fleeing element which moves along the path, and the chasing element which also moves along the path. The prior art does not disclose, teach or suggest the predetermined proximity of the fleeing element from the chasing element in combination with the sound effect associated with the predetermined proximity. The prior art also does not disclose, teach or suggest the processor causing the display device to display the fleeing element moving the first random distance along

the path and the chasing element moving the second random distance along the path, and causing the speaker to generate the sound effect when the chasing element is within the predetermined proximity from the fleeing element. Accordingly, it is respectfully submitted that new Claim 65 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claim 66 which depends from new Claim 65 is patentably distinguished over the prior art of record and is also in condition for allowance.

New Claim 67 is directed to a gaming device having a path, a fleeing element and a chasing element which move along the path, a display device adapted to display the path, the chasing element and the fleeing element, a predetermined proximity of the fleeing element from the chasing element, at least one speaker, a sound effect associated with the predetermined proximity, and a processor. The processor causes the display device to display the fleeing element moving a first random distance along the path and the chasing element moving a second random distance along the path, and causes the speaker to generate the sound effect when the chasing element is outside of the predetermined proximity from the fleeing element. The prior art does not disclose, teach or suggest the path, the fleeing element which moves along the path, and the chasing element which also moves along the path. The prior art does not disclose, teach or suggest the predetermined proximity of the fleeing element from the chasing element in combination with the sound effect associated with the predetermined proximity. The prior art also does not disclose, teach or suggest the processor causing the display device to display the fleeing element moving the first random distance along the path and the chasing element moving the second random distance along the path, and causing the speaker to generate the sound effect when the chasing element is outside of the predetermined proximity from the fleeing element. Accordingly, it is respectfully submitted that new Claim 67 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claim 68 which depends from new Claim 67 is patentably distinguished over the prior art of record and is also in condition for allowance.



New Claim 69 is directed to a gaming device having a plurality of targets, a display device adapted to display the targets, at least one speaker, a first plurality of sound effects, and a processor. The processor causes selection of one of the targets or none of the targets, and causes the speaker to generate a first sound effect chosen from the first plurality of sound effects when none of the targets are selected and causing the speaker to generate a different sound effect chosen from the first plurality of sound effects each consecutive time none of the targets are selected. The prior art does not disclose, teach or suggest the processor causing selection of one of the targets or none of the targets, and causing the speaker to generate the first sound effect chosen from the first plurality of sound effects when none of the targets are selected and causing the speaker to generate the different sound effect chosen from the first plurality of sound effects each consecutive time none of the targets are selected. Accordingly, it is respectfully submitted that new Claim 69 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 70 to 73 which depend from new Claim 69 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 34, new Claim 74 is directed to a gaming device having a pitfall and a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall. The gaming device further includes a display device adapted to display the pitfall and non-pitfalls, at least one speaker, a sound effect associated with the predetermined proximity, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, and causes the speaker to generate the sound effect when one of the non-pitfalls within the predetermined proximity from the pitfall is selected. The prior art of record does not disclose, teach or suggest the plurality of non-pitfalls including at least two non-pitfalls which are each the same predetermined proximity from the pitfall in combination with the sound effect associated with the predetermined proximity which is generated when one of the non-pitfalls within the predetermined proximity from the pitfall is selected. Accordingly, it is respectfully submitted that new Claim 74 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 75 to 83 which directly or indirectly depend from new Claim

74 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 45, new Claim 84 is directed to a gaming device having a pitfall, a plurality of non-pitfalls including at least two non-pitfalls which are each within a same predefined distance from the pitfall, a display device adapted to display the pitfall and non-pitfalls, means for selecting the pitfall and non-pitfalls, at least one sound effect associated with the predefined distance, and means for generating the sound effect when the selecting means selects one of the non-pitfalls which is within the predefined distance from the pitfall. The prior art of record does not disclose, teach or suggest the plurality of non-pitfalls including at least two non-pitfalls which are each within the same predefined distance from the pitfall in combination with the sound effect associated with the predefined distance which is generated when the selecting means selects one of the non-pitfalls which is within the predefined distance from the pitfall. Accordingly, it is respectfully submitted that new Claim 84 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claim 85 which depends from new Claim 84 is patentably distinguished over the prior art of record and is also in condition for allowance.

Similar to new Claim 74 and new Claim 47, new Claim 86 is directed to a gaming device having a pitfall and a plurality of non-pitfalls including at least two non-pitfalls which are each a same first predetermined proximity from the pitfall and at least two non-pitfalls which are each a same second predetermined proximity from the pitfall. The gaming device further includes a display device adapted to display the pitfall and non-pitfalls, at least one speaker, a first sound effect associated with the first predetermined proximity, a second sound effect which is different from the first sound effect associated with the second predetermined proximity, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, causes the speaker to generate the first sound effect when one of the non-pitfalls within the first predetermined proximity from the pitfall is selected, and to generate the second different sound effect when one of the non-pitfalls within the second predetermined proximity from the pitfall is selected. The prior art of record does not disclose, teach or suggest the plurality of non-

pitfalls including at least two non-pitfalls which are each the same first predetermined proximity for the pitfall and at least two non-pitfalls which are each the same second predetermined proximity from the pitfall in combination with the first sound effect associated with the first predetermined proximity and the second different sound effect associated with the second predetermined proximity. The prior art does not disclose, teach or suggest the processor causing selection of the pitfall or one of the non-pitfalls, and causing the speaker to generate the first sound effect when one of the non-pitfalls within the first predetermined proximity from the pitfall is selected, and to generate the second sound effect when one of the non-pitfalls within the second predetermined proximity from the pitfall is selected. Accordingly, it is respectfully submitted that new Claim 86 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 87 to 88 which depend from new Claim 89 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 50, new Claim 89 is directed to a gaming device having a pitfall, a plurality of non-pitfalls, a display device adapted to display said pitfall and non-pitfalls, at least one speaker, a plurality of sound effects, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, causes the speaker to generate the first sound effect randomly chosen from the sound effects when one of the non-pitfalls is selected, and causes the speaker to generate a different sound effect randomly chosen from the sound effects each time one of the non-pitfalls is selected. The prior art of record does not disclose, teach or suggest the processor which causes selection of the pitfall or one of the non-pitfalls, causes the speaker to generate the first sound effect randomly chosen from the sound effects when one of the non-pitfalls is selected, and causes the speaker to generate the different sound effect randomly chosen from the sound effects each time one of the non-pitfalls is selected. Accordingly, it is respectfully submitted that new Claim 89 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 90 to 91 which depend from new Claim 89 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 53, new Claim 92 is directed to a gaming device having a pitfall, a plurality of non-pitfalls, a display device adapted to display the pitfall and non-pitfall, at least one speaker, a plurality of sound effects, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, causes the speaker to generate a first sound effect chosen from the sound effects when one of the non-pitfalls is selected, and causes the speaker to generate a second different sound effect chosen from the sound effects when the same non-pitfall is selected. The prior art of record does not disclose, teach or suggest the processor which causes selection of the pitfall or one of the non-pitfalls, causes the speaker to generate the first sound effect chosen from the sound effects when one of the non-pitfalls is selected, and causes the speaker to generate a second different sound effect chosen from the sound effects when the same non-pitfall is selected. Accordingly, it is respectfully submitted that new Claim 92 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 93 to 94 which depend from new Claim 92 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 59, new Claim 95 is directed to a gaming device having a pitfall, a plurality of non-pitfalls, a display device adapted to display the pitfall and non-pitfalls, at least one speaker, a sound effect, a predetermined number of times associated with the non-pitfalls, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, counts the number of times one of the non-pitfalls is selected, and upon reaching the predetermined number, causes the speaker to generate the sound effect when one of the non-pitfalls is selected. The prior art does not disclose, teach or suggest the predetermined number of times associated with the non-pitfalls in combination with selecting the pitfall or one of the non-pitfalls, counting the number of times one of the non-pitfalls is selected, and upon reaching the predetermined number, causing the speaker to generate the sound effect when one of the non-pitfalls is selected. Accordingly, it is respectfully submitted that new Claim 95 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 96 to 97 which depend from new Claim

95 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 62, new Claim 98 is directed to a gaming device having a pitfall, a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall, a display device adapted to display the pitfall and non-pitfalls, at least one speaker, and a sound effect associated with the predetermined proximity. The gaming device further includes a predetermined number of times associated with the predetermined proximity from the pitfall and a processor. The processor causes the selection of the pitfall or one of the non-pitfalls, counts the number of times one of the non-pitfalls within the predetermined proximity from the pitfall is selected, and upon reaching the predetermined number, causes the speaker to generate the sound effect when the processor selects one of the non-pitfalls within the predetermined proximity from the pitfall. The prior art does not disclose, teach or suggest the plurality of non-pitfalls including at least two non-pitfalls which are each the same predetermined proximity from the pitfall and the sound effect associated with the predetermined proximity in combination with the predetermined number of times associated with the predetermined proximity from the pitfall. The prior art also does not disclose, teach or suggest the processor causing selection of the pitfall or one of the non-pitfalls, counting the number of times one of the non-pitfalls within the predetermined proximity from the pitfall is selected, and upon reaching the predetermined number, causing the speaker to generate the sound effect when the processor selects one of the non-pitfalls within the predetermined proximity from the pitfall. Accordingly, it is respectfully submitted that new Claim 98 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 99 to 100 which depend from new Claim 98 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 65, New Claim 101 is directed to a gaming device having a pitfall, a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall, a display device adapted to display the pitfall

and non-pitfalls, and at least one speaker. The gaming device also includes a first sound effect associated with the predetermined proximity, a second sound effect which is different from the first sound effect associated with the predetermined proximity, a predetermined number of times associated with the predetermined proximity, and a processor. The processor causes selection of the pitfall or one of the non-pitfalls, counts the number of times one of the non-pitfalls within the predetermined proximity from the pitfall is selected, causes the speaker to generate the first sound effect when one of the non-pitfalls within the predetermined proximity from the pitfall is selected, and upon reaching the predetermined number, causes the speaker to generate the second different sound effect when one of the non-pitfalls within the predetermined proximity from the pitfall is selected. The prior art does not disclose, teach or suggest the first sound effect associated with the predetermined proximity and the second different sound effect associated with the predetermined proximity in combination with the predetermined number of times associated with the predetermined proximity from the pitfall. The prior art does not disclose, teach or suggest the processor causing selection of the pitfall or one of the non-pitfalls, counting the number of times one of the non-pitfalls within the predetermined proximity from the pitfall is selected, causing the speaker to generate the first sound effect when one of the non-pitfalls within the predetermined proximity from the pitfall is selected, and upon reaching the predetermined number, causing the speaker to generate the second different sound effect when one of the non-pitfalls within the predetermined proximity from the pitfall is selected. Accordingly, it is respectfully submitted that new Claim 101 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 102 to 103 which depend from new Claim 101 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 104 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target, selecting either the target or one of the targets, and generating a sound effect associated with the predetermined proximity when one of the non-targets selected is

within the predetermined proximity. The prior art of record does not disclose, teach or suggest displaying the plurality of non-targets including at least two non-targets which are each the same predetermined proximity from the target in combination with generating the sound effect associated with the predetermined proximity when one of the non-targets selected is within the predetermined proximity. Accordingly, it is respectfully submitted that new Claim 104 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 105 to 108 which depend from new Claim 104 are patentably distinguished over the prior art of record and are also in condition for allowance.

New Claim 109 to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets including at least two non-targets which are each within a same predefined distance from the target, selecting either the target or one of the non-targets, and generating a sound effect associated with the predefined distance when one of the non-targets selected is within the predefined distance. The prior art of record does not disclose, teach or suggest displaying the plurality of non-targets including at least two non-targets which are each within the same predefined distance from the target in combination with generating the sound effect associated with the predefined distance when one of the non-targets selected is from within the predefined distance. Accordingly, it is respectfully submitted that new Claim 109 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 104, new Claim 110 is directed to a method of operating a gaming device. The method includes displaying a target and displaying a plurality of non-targets including at least two non-targets which are each a same first predetermined proximity from the target and including at least two non-targets which are each a same second predetermined proximity from the target. The method further includes selecting either the target or one of the non-targets, generating a first sound effect associated with the first predetermined proximity when one of the non-targets selected is within the first predetermined proximity, and generating a second different sound effect associated with the second predetermined proximity when one of the non-

targets selected is within the second predetermined proximity. The prior art of record does not disclose, teach or suggest displaying the plurality of non-targets including at least two non-targets which are each the same first predetermined proximity from the target and including at least two non-targets which are each the same second predetermined proximity from the target in combination with generating the first sound effect associated with the first predetermined proximity when one of the non-targets selected is within the first predetermined proximity, and generating the second different sound effect associated with the second predetermined proximity when one of the non-targets selected is within the second predetermined proximity. Accordingly, it is respectfully submitted that new Claim 110 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 111 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets, and selecting either the target or one of the non-targets. The method includes generating a first sound effect randomly chosen from a plurality of sound effects when one of the non-targets is selected, again selecting either the target or one of the non-targets, and generating a second different sound effect randomly chosen from the plurality of sound effects when one of the non-targets is consecutively chosen. The prior art of record does not disclose, teach or suggest generating the first sound effect randomly chosen from the plurality of sound effects when one of the non-targets is selected in combination with generating the second different sound effect randomly chosen from the plurality of sound effects when one of the non-targets is consecutively chosen. Accordingly, it is respectfully submitted that new Claim 111 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 112 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets, and selecting either the target or one of the non-targets. The method further includes generating a first sound effect when a non-target from the non-targets is selected, again selecting either the target or one of the non-targets and generating a second different sound effect when the same non-target is consecutively selected. The prior art of record does



not disclose, teach or suggest generating the second different sound effect when the same non-target is consecutively selected. Accordingly, it is respectfully submitted that new Claim 112 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 113 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets, selecting either the target or one of the non-targets a plurality of times, counting the number of times one of the non-targets is selected, reaching a predetermined number of times one of the non-targets is selected, and generating a sound effect when one of the non-targets is selected after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest counting the number of times one of the non-targets is selected in combination with reaching the predetermined number of times one of the non-targets is selected, and generating the sound effect when one of the non-targets is selected after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 113 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 114 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target, selecting either the target or one of the non-targets a plurality of times, and counting the number of times one of the non-targets is selected from within the predetermined proximity from the target. The method also includes reaching a predetermined number of times one of the non-targets is selected from within the predetermined proximity from the target, and generating a sound effect when one of the non-targets is selected from within the predetermined proximity from the target after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest displaying the plurality of non-targets including at least two non-targets which are each the same predetermined proximity from the target in combination with counting the number of times one of the non-targets is selected from within the predetermined proximity from the target, reaching the predetermined number of times one of the non-targets is

selected from within the predetermined proximity from the target, and generating the sound effect when one of the non-targets is selected from within the predetermined proximity from the target after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 114 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 115 is directed to a method of operating a gaming device. The method includes displaying a target, displaying a plurality of non-targets including at least two non-targets which are each a same predetermined proximity from the target, selecting either the target or one of the non-targets a plurality of times, and generating a first sound effect when one of the non-targets is selected from within the predetermined proximity. The method also includes counting the number of times one of the non-targets is selected from within the predetermined proximity from the target, reaching a predetermined number of times one of the non-targets is selected from within the predetermined proximity from the target, and generating a second different sound effect when one of the non-targets is selected from within the predetermined proximity from the target after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest displaying the plurality of non-targets including at least two non-targets which are each the same predetermined proximity from the target in combination with generating the first sound effect when one of the non-targets is selected from within the predetermined proximity. The prior art of record also does not disclose, teach or suggest counting the number of times one of the non-targets is selected from within the predetermined proximity from the target, reaching the predetermined number of times one of the non-targets is selected from within the predetermined proximity from the target, and generating the second different sound effect when one of the non-targets is selected from within the predetermined proximity from the target after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 115 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 116 is directed to a method of operating a gaming device. The method includes displaying a path, a fleeing element, and a chasing element. The

method further includes moving the fleeing element a first random distance along the path, moving the chasing element a second random distance along the path, and generating a sound effect when the chasing element is within a predetermined proximity of the fleeing element. The prior art of record does not disclose, teach or suggest displaying the path, the fleeing element, and the chasing element in combination with moving the fleeing element the first random distance along the path, and moving the chasing element the second random distance along the path. The prior art of record does not disclose, teach or suggest generating the sound effect when the chasing element is within the predetermined proximity of the fleeing element. Accordingly, it is respectfully submitted that new Claim 116 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 117 is directed to a method of operating a gaming device. The method includes displaying a path, a fleeing element, and a chasing element. The method further includes moving the fleeing element a first random distance along the path, moving the chasing element a second random distance along the path, and generating a sound effect when the chasing element is outside a predetermined proximity of the fleeing element. The prior art of record does not disclose, teach or suggest displaying the path, the fleeing element, and the chasing element in combination with moving the fleeing element the first random distance along the path, and moving the chasing element the second random distance along the path. The prior art of record does not disclose, teach or suggest generating the sound effect when the chasing element is outside the predetermined proximity of the fleeing element. Accordingly, it is respectfully submitted that new Claim 117 is patentably distinguished over the prior art of record and is in condition for allowance.

New Claim 118 is directed to a method of operating a gaming device. The method includes displaying a plurality of targets, selecting randomly none of the targets or one of the targets, generating a first sound effect chosen randomly from a first plurality of sound effects when no target is selected, and generating a second sound effect chosen randomly from a second different plurality of sound effects when one of the targets is selected. The method also includes again selecting randomly none of the

targets or one of the targets, generating a third different sound effect chosen randomly from the first plurality of sound effects when no target is selected, and generating a fourth different sound effect chosen randomly from the second different plurality of sound effects when one of the targets is selected. The prior art of record does not disclose, teach or suggest generating the first sound effect chosen randomly from the first plurality of sound effects when no target is selected in combination with generating the second sound effect chosen randomly from the second different plurality of sound effects when one of the targets is selected, generating the third different sound effect chosen randomly from the first plurality of sound effects when no target is consecutively selected, and generating the fourth different sound effect chosen randomly from the second plurality of sound effects when one of the targets is consecutively selected. Accordingly, it is respectfully submitted that new Claim 118 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 104, new Claim 119 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall, selecting either the pitfall or one of the pitfalls, and generating a sound effect associated with the predetermined proximity when one of the non-pitfalls selected is within the predetermined proximity. The prior art of record does not disclose, teach or suggest displaying the plurality of non-pitfalls including at least two non-pitfalls which are each the same predetermined proximity from the pitfall in combination with generating the sound effect associated with the predetermined proximity when one of the non-pitfalls selected is within the predetermined proximity. Accordingly, it is respectfully submitted that new Claim 119 is patentably distinguished over the prior art of record and is in condition for allowance. It is also respectfully submitted that new Claims 120 to 123 which depend from new Claim 119 are patentably distinguished over the prior art of record and are also in condition for allowance.

Similar to new Claim 109, new Claim 124 is directed to to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls including at least two non-pitfalls which are each within a same predefined distance from the pitfall, selecting either the pitfall or one of the non-pitfalls, and

generating a sound effect associated with the predefined distance when one of the non-pitfalls selected is within the predefined distance. The prior art of record does not disclose, teach or suggest displaying the plurality of non-pitfalls including at least two non-pitfalls which are each within the same predefined distance from the pitfall in combination with generating the sound effect associated with the predefined distance when one of the non-pitfalls selected is within the predefined distance. Accordingly, it is respectfully submitted that new Claim 124 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 110, new Claim 125 is directed to a method of operating a gaming device. The method includes displaying a pitfall and displaying a plurality of non-pitfalls including at least two non-pitfalls which are each a same first predetermined proximity from the pitfall and including at least two non-pitfalls which are each a same second predetermined proximity from the pitfall. The method further includes selecting either the pitfall or one of the non-pitfalls, generating a first sound effect associated with the first predetermined proximity when one of the non-pitfalls selected is within the first predetermined proximity and generating a second different sound effect associated with the second predetermined proximity when one of the non-pitfalls selected is within the second predetermined proximity. The prior art of record does not disclose, teach or suggest displaying the plurality of non-pitfalls including at least two non-pitfalls which are each the same first predetermined proximity from the pitfall and including at least two non-pitfalls which are each the same second predetermined proximity from the pitfall in combination with generating the first sound effect associated with the first predetermined proximity when one of the non-pitfalls selected is within the first predetermined proximity, and generating the second different sound effect associated with the second predetermined proximity when one of the non-pitfalls selected is within the second predetermined proximity. Accordingly, it is respectfully submitted that new Claim 125 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 111, new Claim 126 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-

pitfalls, and selecting either the pitfall or one of the non-pitfalls. The method includes generating a first sound effect randomly chosen from a plurality of sound effects when one of the non-pitfalls is selected, again selecting either the pitfall or one of the non-pitfalls, and generating a second different sound effect randomly chosen from the plurality of sound effects when one of the non-pitfalls is consecutively chosen. The prior art of record does not disclose, teach or suggest generating the first sound effect randomly chosen from the plurality of sound effects when one of the non-pitfalls is selected in combination with generating the second different sound effect randomly chosen from the plurality of sound effects when one of the non-pitfalls is consecutively chosen. Accordingly, it is respectfully submitted that new Claim 126 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 112, new Claim 127 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls, and selecting either the pitfall or one of the non-pitfalls. The method further includes generating a first sound effect when a non-pitfall from the non-pitfalls is selected, again selecting either the pitfall or one of the non-pitfalls and generating a second different sound effect when the same non-pitfall is consecutively selected. The prior art of record does not disclose, teach or suggest generating the second different sound effect when the same non-pitfall is consecutively selected. Accordingly, it is respectfully submitted that new Claim 127 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 113, new Claim 128 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls, selecting either the pitfall or one of the non-pitfalls a plurality of times, counting the number of times one of the non-pitfalls is selected, reaching a predetermined number of times one of the non-pitfalls is selected, and generating a sound effect when one of the non-pitfalls is selected after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest counting the number of times one of the non-pitfalls is selected in combination with reaching the predetermined number of times one of the non-pitfalls is selected, and generating the sound effect

when one of the non-pitfalls is selected after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 128 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 114, new Claim 129 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall, selecting either the pitfall or one of the non-pitfalls a plurality of times, and counting the number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall. The method also includes reaching a predetermined number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, and generating a sound effect when one of the non-pitfalls is selected from within the predetermined proximity from the pitfall after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest displaying the plurality of non-pitfalls including at least two non-pitfalls which are each the same predetermined proximity from the pitfall in combination with counting the number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, reaching the predetermined number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, and generating the sound effect when one of the non-pitfalls is selected from within the predetermined proximity from the pitfall after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 129 is patentably distinguished over the prior art of record and is in condition for allowance.

Similar to new Claim 115, new Claim 130 is directed to a method of operating a gaming device. The method includes displaying a pitfall, displaying a plurality of non-pitfalls including at least two non-pitfalls which are each a same predetermined proximity from the pitfall, selecting either the pitfall or one of the non-pitfalls a plurality of times, and generating a first sound effect when one of the non-pitfalls is selected from within the predetermined proximity. The method also includes counting the number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, reaching a predetermined number of times one of the non-pitfalls is selected from

within the predetermined proximity from the pitfall, and generating a second different sound effect when one of the non-pitfalls is selected from within the predetermined proximity from the pitfall after the predetermined number of times is reached. The prior art of record does not disclose, teach or suggest displaying the plurality of non-pitfalls including at least two non-pitfalls which are each the same predetermined proximity from the pitfall in combination with generating the first sound effect when one of the non-pitfalls is selected from within the predetermined proximity. The prior art of record also does not disclose, teach or suggest counting the number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, reaching the predetermined number of times one of the non-pitfalls is selected from within the predetermined proximity from the pitfall, and generating the second different sound effect when one of the non-pitfalls is selected from within the predetermined proximity from the pitfall after the predetermined number of times is reached. Accordingly, it is respectfully submitted that new Claim 115 is patentably distinguished over the prior art of record and is in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance and is courteously solicited. If the Examiner has any questions related to this Response, applicants respectfully request that the Examiner contact the applicants' attorney, Adam Masia at (312) 807-4284, to discuss this Response.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Adam H. Masia  
Reg. No. 35,602  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4284



**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claims 1 to 33 have been cancelled without prejudice or disclaimer.

New Claims 34 to 130 have been added.